

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

JUL 19 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JAMES L JOHNSON III,

Plaintiff-Appellant,

v.

RON HAYNES, Superintendent, Stafford  
Creek Corrections Center; et al.,

Defendants-Appellees.

No. 22-35885

D.C. No. 3:22-cv-05492-RSM  
Western District of Washington,  
Tacoma

ORDER

Before: SCHROEDER, RAWLINSON, and BADE, Circuit Judges.

The district court certified that this appeal is not taken in good faith and revoked appellant's in forma pauperis status. *See* 28 U.S.C. § 1915(a). On November 14, 2022, the court ordered appellant to explain in writing why this appeal should not be dismissed as frivolous. *See* 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

Upon a review of the record and response to the court's November 14, 2022 order, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. 7) and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2).

No further filings will be entertained in this closed case.

**DISMISSED.**